

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA - ROANOKE DIVISION
CRIMINAL MINUTES – SENTENCING HEARING**

Case No.: 7-15-cr-00046-02

Date: 05/18/2016

Defendant: Misty McCann, custody

Counsel: Jimmy Turk, Esq. CJA

PRESENT:	JUDGE:	Hon. Glen Conrad	TIME IN COURT: 3:25-4:10 45 mins
	Deputy Clerk:	Susan Moody	
	Court Reporter:	Judy Webb	
	U. S. Attorney:	Ashley Neese, Esq	
	USPO:	Sami Cilek	

LIST OF WITNESSES

GOVERNMENT:

None

DEFENDANT:

1. Misty McCann

PROCEEDINGS:

- ☒ No Objections to Presentence Report.
- ☒ Defendant presents evidence.
- ☒ Court adopts Presentence Report
- ☒ Court accepts Plea Agreement and will grant the Govt's Motion for Substantial Assistance.
- ☒ Allocutions.

SENTENCE IMPOSED AS FOLLOWS:

CBOP: 90 mos. as to Count 1.

SR: 5 yrs months or years - comply w/Standard, Mandatory & Special Conditions.

SA: \$100 due immediately.

FINE: \$500

- ☒ Court recommends as follows:
 - ☒ That Defendant be placed in the intensive drug treatment program in BOP.
 - ☒ That Defendant be designated to FCI Alderson, WV or FCI Butner, NC.

SPECIAL CONDITIONS OF SUPERVISION:

- ☒ The defendant shall reside in a residence free of firearms, ammunition, destructive devices and dangerous weapons.
- ☒ The defendant must submit to warrantless search and seizure of person and property by the probation officer or other law enforcement officer, whenever such officer has reasonable suspicion that the defendant is engaged in criminal activity.
- ☒ Following release from imprisonment, the court will evaluate defendant's status and determine whether, after incarceration, drug rehabilitation is necessary and appropriate. If additional rehabilitation is deemed appropriate, the defendant shall participate in a program as designated by the court, upon consultation with the probation officer, until such time as the defendant has satisfied all the requirements of the program.

PAYMENT SCHEDULE:

- ☒ A lump sum payment of \$100 is due immediately, and during the term of imprisonment, payment in equal monthly installments of \$25 or 50% of the defendant's income, whichever is lesser, to commence 60 days after the date of this judgment; and payment in equal monthly installments of \$50 during the term of supervised release, to commence 60 days after release from imprisonment.

ADDITIONAL RULINGS:

- ☒ Defendant advised as to appeal rights.